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By Mr. Fishman (by request), a petition of Louis I. Egelson, Jr., for a legislative amendment to the Constitution providing an alternative method for amending or revising city and town charters. Local Affairs.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Seventy-One.

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PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION  
PROVIDING AN ALTERNATIVE METHOD FOR AMENDING OR REVISING  
CITY AND TOWN CHARTERS.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

Article II of the Articles of Amendment to the Constitution of the Commonwealth, as amended by Article LXXXIX of said Articles of Amendment, is hereby further amended by inserting after section 4 the following section: —

*Section 4A.* Any city or town which does not choose to follow the provisions of sections three and four herein may amend or revise its charter in the following alternative manner: —

A petition for the amendment or revision of a charter may change any provision of such charter. Such petition shall contain the exact provisions of the existing article or section and the exact provisions of the proposed article or section, including the specific words to be changed printed in a unique type font. Such petition shall contain a statement of the purposes of said amendment, which statement shall be printed directly below that of the proposed amendment.

Such petition shall be filed with the board of registrars of

voters, as defined in section three herein, of any city or town, within the same calendar year during which it was originally drafted, and shall contain the signatures of at least four thousand legal voters residing in such city or town, or ten per cent of the number of legal voters residing in such city or town at the preceding state election, whichever is less. The board shall determine the validity of such signatures in the manner prescribed in section three herein.

Within thirty days of receipt of certification of the board of registrars of voters that a petition contains sufficient valid signatures, the city clerk or town clerk shall cause the exact text of the petition to be presented to a special meeting of the city council of a city or the town meeting of a town. As a result of its deliberations, such legislative body may make changes in the petition but only as to wording and form, and not as to substance. Such changes may be made by the majority vote of all members of such legislative body. A majority of all members of such legislative body may approve or disapprove such petition, but if such legislative body does not either approve or disapprove such petition within six months of the date such petition was duly presented, or by the date of expiration of the terms of office of the members of such legislative body, whichever is later, such petition shall be deemed to have been approved as an amendment or revision to the charter.

Upon taking the oath of office by the members of the next duly elected legislative body, or upon convening of the next regularly constituted town meeting, and upon compliance with provisions of the previous paragraphs of this section, the city clerk or town clerk shall cause the exact provisions of the petition, as approved by the immediately preceding legislative body, to be presented to a special meeting of such legislative body to be held **within sixty days after the start of its term**. No further change of any sort shall be permitted as a result of deliberations at this time. A majority of all members of said legislative body may approve or disapprove such petition, but if no action is taken within six months after the start of the term such petition shall be deemed to have been approved as an amendment or revision to the charter.

Upon approval of such petition in conformity with the provisions of the preceding paragraphs, the election commission, city clerk, or town clerk (as appropriate) shall cause the proposed amendment or revision of the charter to be placed on the ballot at the next regular municipal, state, or national election, excluding primary elections. The question of the proposed amendment or revision shall be so stated upon the ballot that a "yes" vote shall constitute acceptance of the proposed change and a "no" vote shall constitute rejection.

Upon approval by a majority of those voting, and after certification of same by the election commission, city clerk, or town clerk (as appropriate), the proposed change shall become effective as an amendment or revision to the charter, as the case may be.

